

THE
COMPLIANCE
GROUP

96-45

Received & Inspected

SEP -2 2011

FCC Mail Room

August 29, 2011

Via Standard Mail

The Universal Service Administrative Company
Billing, Collections and Disbursements
2000 L Street NW, Suite 200
Washington, DC 20036

Re: Avaya-Deactivation of Filer ID: 828057

Attn USAC:

On behalf of our client, Avaya, Inc. ("Avaya"), Filer ID: 828057, we submit the following documents in support of the company's request for deactivation of its USAC Filer ID. Enclosed as Attachment 1 is the form *USAC Filer ID Deactivation Request: No Longer Providing Telecommunications Services*. An original, signed copy of this form was sent directly to the Universal Service Administrative Company ("USAC") by Avaya. Enclosed as Attachment 2 is the Fedex verification of receipt of the Deactivation Request. Enclosed as Attachment 3 in support of this request is an email from Kristin K. Berkland, USAC Assistant General Counsel, to our firm confirming that Avaya is not required to be register with USAC or contribute to the Universal Service Fund ("USF").

To date, Avaya provides interconnected VoIP services to a single entity, the State of Georgia. Avaya does not offer interconnected VoIP services to any other entities. Avaya therefore qualifies for the "Exception for government, broadcasters, schools, and libraries" found on page 4 of the *2011 Instructions to the Telecommunications Reporting Worksheet, Form 499-A* and is not required to register with USAC or contribute directly to the Federal USF and related support mechanisms, including the Telecommunications Relay Services Fund, Local Number Portability Fund, the North American Numbering Plan Administration Fund, and FCC regulatory fees.

Avaya filed its 2011 FCC Form 499-A form in error. Since the company provides services exclusively to a government entity, the company is not required to register with USAC, file Form 499s or contribute to the Federal USF and related funds. Accordingly, in addition to deactivation of Avaya's Filer ID, Avaya requests immediate reversal of all outstanding invoices and termination of any collection activities for Federal Universal Service support mechanisms.

Avaya also respectfully requests USAC take such actions as may be necessary to ensure that its records and the records of other Billing & Collection Agents, including Rolka Loube Saltzer Associates, LLC, Welch LLP, Neustar, Inc., and the Federal Communications Commission, reflect that the company is not required to contribute to Federal Universal Service support mechanisms or pay FCC regulatory fees.

No. of Copies rec'd 0
List ABCDE

GENERAL INQUIRIES: 1-877-435-3461
FAX: 978-709-6077
EMAIL: MAIL@COMPLIANCEGROUP.COM
WEB: WWW.COMPLIANCEGROUP.COM

THE COMPLIANCE GROUP
1420 SPRING HILL ROAD
SUITE 205
MCLEAN, VIRGINIA 22102

Should you have any questions or concerns regarding this filing, please do not hesitate to contact Michael Donahue at (703) 714-1310 or mpd@commlawgroup.com.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Chris Canter", with a long horizontal flourish extending to the right.

Chris Canter
On behalf of Avaya, Inc.

CC: Kristin K. Berkland, USAC Assistant General Counsel
Tim Salapek, Avaya Inc.
Ray Burnett, Avaya Inc.
The Federal Communications Commission
Rolka Loube Saltzer Associates, LLC
Welch LLP
Neustar, Inc.

Enclosures

ATTACHMENT 1



Universal Service Administrative Company
Helping Keep Americans Connected

USAC Filer ID Deactivation Request: No Longer Providing Telecommunications Service

To deactivate a Filer ID for a company that is still in business but is no longer providing telecom services, complete all sections of this worksheet and mail it along with supporting documentation to the address at the bottom of the page.

Supporting documentation for this request includes any documentation showing that the company used to provide telecom services but no longer does.

Note that it may take up to 60 days for the changes to appear in the USAC, FCC, NECA, or other databases. All changes will be backdated to the date on which the company ceased to provide telecom services.

Questions about this worksheet may be directed to Form499@usac.org.

1. Company Filer ID Number: 828057
2. Filer Legal Name: Avaya, Inc.
3. Date company stopped providing telecom services: N/A
4. The FCC requires that you update your company information in the FCC Cores Database. Please go to <https://fialfoss.fcc.gov/coresWeb/publicHome.do> and click on "Update Your Registration Information."
☒ All necessary changes have been made in the FCC CORES Database.
5. The FCC requires all intrastate, interstate, and international providers of telecommunications services (with very few exceptions) to file the FCC Form 499-A.

- ☐ I have filed all 499-A Forms associated with the years that this company provided telecom services. I will also file the upcoming 499-A for any revenues that I have received this year.
Avaya, Inc. provides interconnected VoIP services to the State of Georgia exclusively.
The company therefore qualifies for the Government Services Exemption and is therefore not required to have a 499 Filer ID or File FCC Form 499.

I am an officer of the above-named entity. I have examined this worksheet and to the best of my knowledge, information, and belief, all statements in this worksheet are true.

Signature [Signature] Date 8-24-11
Company Officer Email: fmahr@avaya.com Phone 908-953-3918
Company Officer Name: Frank J. Mahr
Company Officer Title: Corporate Secretary
Company Name: Avaya Inc.

Print this completed worksheet and mail it and all supporting documentation to:

USAC-Filer ID Deactivation
2000 L Street N.W.
Suite 200
Washington, DC 20036

Print Form

Documents that are faxed, emailed, or lack supporting documentation will not be accepted or acknowledged.

ATTACHMENT 2

This tracking update has been requested by:

Company Name: Avaya Inc.

Name: Patrice Chadwick

E-mail: pchadwick@avaya.com

Our records indicate that the following shipment has been delivered:

Reference: USAC Filer ID Deactivation Req
Ship (P/U) date: Aug 23, 2011
Delivery date: Aug 24, 2011 9:56 AM
Sign for by: A.WILLIAMS
Delivery location: WASHINGTON, DC
Delivered to: Receptionist/Front Desk
Service type: FedEx Standard Overnight
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Direct Signature Required
Deliver Weekday

Tracking number: 795109753540

Shipper Information

Patrice Chadwick
Avaya Inc.
211 Mt. Airy Road, Room 3C814
Basking Ridge
NJ
US
07920

Recipient Information

USAC-Filer ID Deactivation
2000 L ST NW STE 200
WASHINGTON
DC
US
20036

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 8:59 AM CDT on 08/24/2011.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

Thank you for your business.

ATTACHMENT 3

From: Kristin Berkland [mailto:kberkland@usac.org]
Sent: August 09, 2011 1:11 PM
To: Michael Donahue
Cc: 'Jonathan S. Marashlian'; Debbie Tosi
Subject: RE: USAC Procedural Question - Avaya Inc. (Filer ID 828057)

Michael:

Per our phone conversation this morning, Avaya Inc. (Avaya) was assessed universal service fund charges because it filed non *de minimis* revenue on the 2011 FCC Form 499-A. As an entity that provides telecommunications services exclusively to a government entity, and does not contribute to TRS, LNP or NANPA, Avaya is not required to file the FCC Forms 499 (Forms). See 2011 Instructions to the Telecommunications Reporting Worksheet, Form 499-A at 4 and 5. Therefore, to cancel its previous filings and reverse its charges, Avaya will need to deactivate its Filer ID account with USAC. The following link on USAC's website provides instructions on how to deactivate an account: <http://www.usac.org/fund-administration/contributors/deactivation/>. When filling out the deactivation paperwork, please use the "Company Still In Business but No Longer Providing Telecom Services" form and note on the form that Avaya filed its forms in error, it provides services exclusively to a government entity and it is not required to contribute to TRS, LNP or NANPA.

Once USAC receives, has an opportunity to review and determines that Avaya's deactivation paperwork is sufficient, USAC will deactivate the account, cancel the FCC Form 499 filings related to Avaya's provision of VoIP telecommunications services to the State of Georgia and will reverse, as appropriate, the related universal service fund charges. Once the forms have been cancelled and the universal service fund charges are reversed, as appropriate, USAC will issue Avaya a Notice of Resolve Issue Letter summarizing Avaya's factual situation and outlining the steps taken by USAC.

Please note that should Avaya decide to begin providing telecommunications services to non-governmental entities in the future, it will need to determine whether it is subject to the FCC's universal service reporting and contribution requirements. If Avaya determines it is subject to the FCC's universal service reporting and contribution requirements, it will need to obtain a new Filer ID.

Best regards,
Kristin

Kristin K. Berkland
Assistant General Counsel
UNIVERSAL SERVICE ADMINISTRATIVE COMPANY
2000 L Street, NW, Suite 200
Washington, DC 20036
Phone: (202) 772-6269
Fax: (202) 777-0293

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